

Emergency Watershed Protection Program Floodplain Easements

FACT SHEET

MONTANA

Purpose

Floodplain easements provide an opportunity for landowners to receive federal funds through the Emergency Watershed Protection (EWP) program for floodplains and riparian zones to remain or be restored to a natural condition as an alternative for restoring frequently flood-damaged lands to agricultural production.

Benefits of Floodplain Easements

Allowing floodplains to function naturally:

- will reduce the annual loss of land to you, adjacent landowners, and communities.
- can significantly reduce the cost of repairing streambanks, dikes, or levees and eliminate the loss of crop and costs associated with restoring lands to agricultural production.
- protects and improves fish and wildlife habitat.
- slows damaging water velocities, provides for the retention of flood waters and enhances groundwater recharge.
- maintains and enhances the function of wetlands, riparian areas, and conservation buffers.
- provides more open space and improves the aesthetic value in the area.
- reduces erosion and improves water quality.

Eligible Land

Agricultural lands damaged by flooding that have either been subject to repeated flood damage or are where the flooding can be expected to reoccur. Under this program, agricultural lands are considered cropland, grazing land, hay land, or forestland adjacent to rivers, streams, watercourses, water bodies, or lakes. The land needs to meet a test of environmental, social, economical, and technical evaluations to complete an eligibility.

Land Categories

There are three categories of land that may be designated within a given permanent easement area.

Category 1 — land adjacent to a river, stream, watercourse, water body or lake (riparian forested area) that is being restored, established, enhanced, or otherwise protected.

Category 2 — agricultural lands in the floodplain that are subject to frequent flooding and may be considered on an annual basis for haying or grazing as a compatible use under the easement.

Category 3 — agricultural lands that are subject to periodic flooding and the landowner wishes to reserve the right to crop, hay, graze, or harvest timber.

EWP funds may cover up to 100 percent of the costs of land treatment practices and easement perfection costs in all three categories.

Categories one and two allow landowners to receive the lowest of the following three values:

- a. 100 percent of the agricultural or other undeveloped / raw land value of the land,
- b. the geographic rate cap, or
- c. the landowner's offer.